

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO

Marquis A. McCormick,

Plaintiff,

v.

D & A Services,

Defendant.

Case No.: 3:16-cv-01778

**DECLARATION OF ANTHONY CREWS IN SUPPORT OF DEFENDANT'S MOTION
FOR DISMISSAL AND/OR SUMMARY JUDGMENT**

The undersigned makes this Declaration on behalf of Defendant D&A Services ("D&A").

1. I am the President and COO of D&A.
2. I am authorized to and do submit this declaration in support of D&A's motion for dismissal and/or summary judgment.
3. In this role, I am charged with oversight of D&A's day-to-day collection activities which includes, *inter alia*, ensuring that D&A employees comply with company policies and procedures, client requirements and all collection laws including, but not limited to, the Fair Debt Collection Practices Act, 15 U.S.C. § 1692 *et seq.* (the "FDCPA").
4. I am personally familiar with D&A's collection practices and procedures including D&A's system for maintaining account records. All records for accounts placed with D&A are maintained on this system.
5. D&A employees are required to contemporaneously notate all activities related to an account, including the receipt of any inbound and outgoing calls or written correspondence, within this system.

6. Such records are kept within the ordinary course of D&A's business.
7. I have personally reviewed D&A's business records pertaining to Plaintiff.
8. If sworn as a witness, I can testify competently to the facts stated herein.
9. On or about November 25, 2015, Crown Asset referred an unpaid debt due and owing from Plaintiff in the amount of \$496.80 to D&A for collection (the "Debt").
10. On November 25, 2015, D&A requested that its standard initial collection notice (hereafter, "validation notice"), which contains all of the information identified U.S.C. § 1692g(a)(1)-(5), be prepared and mailed to Plaintiff.
11. The Validation Notice was mailed to Plaintiff's address of 530 Toronto Ave. Toledo, Ohio 43609 on November 27, 2015.
12. The Validation Notice was not returned to D&A as undeliverable by the United States Postal Service at any time, thereafter.
13. D&A did not receive any communication from Plaintiff during the 30-day dispute window purporting to dispute the debt.
14. On January 5, 2016, D&A sent a second collection notice to Plaintiff at 590 Toronto Ave, Toledo, Ohio 43609.
15. The January 5, 2016 letter was not returned to D&A as undeliverable by the United States Postal Service at any time, thereafter.

I declare under the penalty of perjury that the foregoing is true and correct.



Anthony Crews